



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Shimek et al.)
Serial Number 10/620,038) Art Unit: 1761
Filed July 15, 2003) Examiner: K. Mahafkey
) Atty Docket: 6126US

For: Soft Dried Marshmallow and Method of Preparation

AFFIDAVIT/DECLARATION SUBMITTED UNDER 37 C.F.R. 1.131

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

I, Susan L. Kamper, am an inventor in the above-identified U.S. patent application entitled Soft Dried Marshmallow and Method of Preparation which was filed on July 15, 2003 and is owned by General Mills, Inc..

This invention is concerned with a soft, dried marshmallow, particularly marbits that are dry and shelf stable, but quite soft, even when immersed in a cold fluid. In connection with the invention, I was particularly involved on work related to incorporating the marbits into existing products. The invention was conceived in early April 2002. Samples were made later that month. In the summer of 2002, tests were conducted with potential consumers (kids) to determine product appeal. I am directly aware of product samples made of the invention prior to the consumer testing.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under *section 1001 of title*

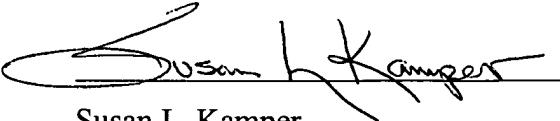
Affidavit Submitted Under 37 C.F.R. 1.131

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18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 11/15/08


Susan L. Kamper



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Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

I, James W. Geoffrion, am an inventor in the above-identified U.S. patent application entitled Soft Dried Marshmallow and Method of Preparation which was filed on July 15, 2003 and is owned by General Mills, Inc..

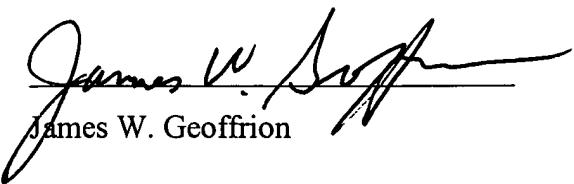
As evidenced by the attached invention record materials, the main invention was conceived at least as early as April 2, 2002 and presented for internal company patent consideration on August 7, 2002. In addition, the invention was reduced to practice by the mid April 2002 and was, in fact, slated for a consumer test on August 6, 2002 as also evidenced by the attached invention record materials.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under *section 1001 of title*

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Date: 1/14/2008


James W. Geoffrion